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5 NOTE: CHANGES MADE BY THE COURT

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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 WAUSAU BUSINESS INSURANCE
COMPANY, a Wisconsin Corporation,
13 and WAUSAU UNDERWRITERS
INSURANCE COMPANY, a
Wisconsin Corporation,

Plaintiffs,

v.

15 DIAMOND CONTRACT SERVICES,
INC., a Nevada Corporation,

Defendant.

18 AND RELATED COUNTERCLAIM.

Case No.: CV10-3192 JFW (Ex)

**ORDER TO
(1) DISMISS WAUSAU'S
COMPLAINT WITH PREJUDICE,
(2) DISMISS DIAMOND'S
COUNTERCLAIM WITH
PREJUDICE AND (3) RETAIN
JURISDICTION**

[FRCP 41(a)(1)]

19 Pretrial Conference: February 17, 2012
20 Trial Date: March 6, 2012

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ORDER

The Court, having read and considered the foregoing Stipulation for Entry of an Order to (1) Dismiss Wausau's Complaint With Prejudice, (2) Dismiss Diamond's Counterclaim With Prejudice and (3) Retain Jurisdiction, and good cause appearing therefore,

IT IS HEREBY ORDERED that

9 1. Wausau's Complaint filed in this action shall be dismissed with
10 prejudice as to all parties and claims for relief, with each party bearing its own
11 attorneys' fees and costs;

13 2. Diamond's Counterclaim filed in this action shall be dismissed
14 with prejudice as to all parties and claims for relief, with each party bearing its own
15 attorneys' fees and costs;

17 3. The Court shall retain jurisdiction to enforce the terms of the
18 parties' March 19, 2012 Confidential Settlement Agreement and Mutual Specific
19 Release ("Settlement Agreement") and/or March 19, 2012 Promissory Note, to
20 resolve any disputes regarding the Settlement Agreement and/or Promissory Note,
21 and to allow Wausau to present to the Court a Stipulation for Entry of Final
22 Judgment on Arbitration Award against Diamond if Diamond fails to comply with
23 the terms of the Settlement Agreement and/or Promissory Note;

25 4. The Court shall retain jurisdiction over the Settlement
26 Agreement for the sole purpose of entering and enforcing a Final Judgment against
27 Diamond on the Arbitration Award; and

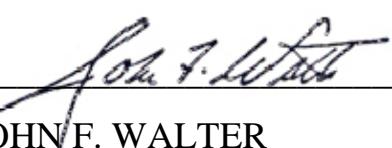
1 5. This Order modifies and/or supersedes the deadlines and
2 procedures for arbitration set forth in the parties' February 13, 2012 Joint Stipulation
3 Submitting this Matter to Binding Arbitration and the Court's February 14, 2012
4 Order thereon.

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6 Dated: March 26, 2012

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~~HON. JOHN F. WALTER~~

10 UNITED STATES DISTRICT COURT JUDGE

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